

BUSINESS REPORT

**MONTANA HOUSE OF REPRESENTATIVES
61st LEGISLATURE - REGULAR SESSION**

**HOUSE JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND
TRANSPORTATION COMMITTEE**

Date: Friday, February 20, 2009
Place: Capitol

Time: 8:30 am
Room: 317-C

BILLS and RESOLUTIONS HEARD:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Add Postponed (PP) when appropriate:

Discussion on recommendations for stimulus appropriations

EXECUTIVE ACTION TAKEN:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Enter P(pass) F(failed) DPAA (do pass as amended) BC(be concurred in) BCAA (be concurred in as amended):

DP601, Department of Livestock

Brand Re-record committee bill

Committee Letter to EPA

Recommendations to Stimulus Appropriations

COMMENTS:



REP. Galen Hollenbaugh, Chairman

HOUSE OF REPRESENTATIVES
Roll Call
NATURAL RESOURCES & TRANSPORTATION SUBCOMMITTEE

DATE: 2/20/09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
REP. GALEN HOLLENBAUGH, CHAIR	✓	
SEN. RICK RIPLEY, VICE CHAIR	✓	
REP. DUANE ANKNEY	✓	
SEN. JOHN BRENDEN	✓	
REP. LLEW JONES	✓	
REP. ROBERT MEHLHOFF	✓	
SEN. MITCH TROPILA	✓	

[illegible]

**Montana House of Representatives
Visitors' Register**

ASC - NATURAL RESOURCES

Date 2/20/09

Bill Nos. HB24 Sponsor(s) _____

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Name	Representing	Bill No.	Support	Oppose	Info.
Tom Livers	DEQ				
Richard Opper	DEQ				

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

DEQ's Budget request showed a \$33.5 million increase.

- \$9.0 million was from the Orphan Share to cover the state's liability at Kalispell.
- \$7.5 million was cost recovery from liable parties at contaminated sites.
- \$3.0 million was cost recovery from BN Livingston and Upper Blackfoot sites.
- Most of the rest was for Present Law and Operations adjustments.
- The big increase in State Special revenues comes mostly from liable parties, not from fee increases (except in the air program – but the fee payers support the increase)

DEQ General Fund increase was less than \$2 million, over \$1 million of which was for the 6 additional PWS staff.

DEQ should not be penalized for the following:

- Being willing to build the state's liability at Kalispell into its budget, even though another state agency is the liable party.
- Being more effective at cost recovery (up to 97% from 65% two years ago) and putting that cost recovered money to work on the ground doing cleanup.

If DEQ isn't allowed to spend the money it's recovered from liable parties, progress cleaning up sites will come to a halt.

Analysis of MAJOR Budget Highlights

(Pg. C-64)

EQPF Increases:

\$9.0M	KRY
\$0.1M	STIP
\$7.5M	Cost Recovery
\$3.0M	Base Adj.
<u>\$1.0M</u>	RIT
\$20.6M	Subtotal
<u>- \$2.0M</u>	FY08-09 Base
\$18.6M	Total Increase

Summary of "Increases:"

EQPF Remediation	\$18.6M	\$20.6 M	EQPF Increase
PWS	\$ 2.0M	\$ 1.1 M	HAZ Waste/CERCLA
Statewide PL Adj.	\$ 9.9M*	\$ 0.03M	Orphan Share
Operations Adj.	<u>\$ 3.0M**</u>	<u>\$ 4.3 M</u>	Nat. Resource Ops.
Total:	\$33.5M	\$26.0 M	RIT Funding

* includes Personal Services increases (salary increases and restoring vacancies), and inflation/deflation of selected services like leased vehicles and gasoline.

** Includes increases in expenses related to restoring vacant positions (contracted services, travel and training, etc.)

5401 Department Of Transportation

Agency/Program 2Y Name	FY 2010				FY 2011				2011 Budget				Comments
	General Fund	State Special	Federal Special	Total Funds	General Fund	State Special	Federal Special	Total Funds	General Fund	State Special	Federal Special	Total Funds	
Executive Requests that Were Rejected													
5401/01 PL1503 Computer Services Contract	0	202,357	0	202,357	0	225,108	0	225,108	0	427,465	0	427,465	
5401/01 PL1506 IT Maintenance Costs	0	40,952	0	40,952	0	40,952	0	40,952	0	81,904	0	81,904	
5401/03 PL0311 Mobile & Portable Handheld Radios	0	97,663	0	97,663	0	97,663	0	97,663	0	195,326	0	195,326	
5401/22 NP2214 Courts Weight Station	0	16,798	0	16,798	0	16,798	0	16,798	0	33,596	0	33,596	
5401/22 NP2201 Maximization Weight Station 190 Corridor	0	385,370	0	385,370	0	385,519	0	385,519	0	770,889	136,039	906,928	
5401/22 NP2212 MCS Enforcement Bureau Realignment	0	499,814	0	499,814	0	516,440	0	516,440	0	1,016,234	0	1,016,234	
Total	\$0	1,242,954	68,006	\$1,310,960	\$0	\$1,282,480	\$68,033	\$1,350,513	\$0	\$2,225,434	\$136,039	\$2,361,473	
Net True Increases to the Executive Budget													
5401/01 NP1003 Surface Transportation Litigation	2,600,000	0	0	2,600,000	0	0	0	0	2,600,000	0	0	2,600,000	Not an increase because it was included in the executive budget, but as a language appropriation
5401/02 PL0210 Contractor Payments/Federal Aid	0	2,225,701	14,947,915	17,173,616	0	766,322	5,146,656	5,912,978	0	2,992,023	20,094,571	23,086,594	An executive requested change that came in after the Dec. 15 deadline
Total	\$2,600,000	\$2,225,701	\$14,947,915	\$19,773,616	\$0	\$766,322	\$5,146,656	\$5,912,978	\$2,600,000	\$2,992,023	\$20,094,571	\$25,686,594	
Reductions Added by the Subcommittee													
5401/01 NP1020 Remove Positions Vacant One Year or Mo	0	(103,739)	(3,010)	(106,749)	0	(103,722)	(3,011)	(106,733)	0	(207,511)	(6,021)	(213,532)	
5401/02 NP0230 Remove Positions Vacant One Year or Mo	0	(500,644)	(455,061)	(955,705)	0	(502,766)	(454,529)	(957,105)	0	(1,003,220)	(910,590)	(1,913,810)	
5401/03 NP0330 Remove Positions Vacant One Year or Mo	0	(54,973)	0	(54,973)	0	(55,106)	0	(55,106)	0	(110,079)	0	(110,079)	
5401/30 NP5020 Remove Positions Vacant One Year or Mo	0	(588)	(1,874)	(2,462)	0	(589)	(1,874)	(2,463)	0	(1,177)	(3,748)	(4,925)	
Total	\$0	\$(659,944)	\$(460,945)	\$(1,120,889)	\$0	\$(662,043)	\$(459,414)	\$(1,121,457)	\$0	\$(1,321,987)	\$(920,359)	\$(2,242,346)	
Grand Total	\$2,600,000	\$2,208,711	\$14,554,976	\$19,963,687	\$0	\$1,386,759	\$4,755,275	\$6,142,034	\$2,600,000	\$4,195,470	\$19,310,251	\$26,105,721	

5201 Fish, Wildlife and Parks

Agency/Program DP Name	FY 2010				FY 2011				2011 Biennium				Comments
	General Fund		Special		General F.		Special		General Fund		Special		
	State	Federal	State	Federal	State	Federal	State	Federal	State	Federal	State	Federal	
Executive Requests that Were Rejected													
Parks	0	99,925	0	99,925	0	99,968	0	99,968	0	199,893	0	199,893	
Pl. 601 Parks O&M	0	99,318	0	99,318	0	99,442	0	99,442	0	198,760	0	198,760	
Parks	0	62,322	0	62,322	0	63,479	0	63,479	0	125,801	0	125,801	Do not pass
Pl. 602 PWS O&M	0	100,000	0	100,000	0	100,000	0	100,000	0	200,000	0	200,000	
Adm'n	0	100,000	0	100,000	0	100,000	0	100,000	0	200,000	0	200,000	Do not pass
Pl. 904 Attorney General FTE													
Pl. 905 Energy Development Proposal													
Total	\$0	361,565	0	361,565	\$0	362,889	\$0	362,889	\$0	724,454	\$0	724,454	
Not True Increases to the Executive Budget													
Total	0	0	0	0	0	0	0	0	0	0	0	0	
	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Reductions Added by the Subcommittee													
Comm. Ed.	0	(3,559)	0	(3,559)	0	(3,559)	0	(3,559)	0	(7,118)	0	(7,118)	
Pl. 801 Regulation Production	0	(3,559)	0	(3,559)	0	(3,559)	0	(3,559)	0	(7,118)	0	(7,118)	
Total	\$0	(\$3,559)	\$0	(\$3,559)	\$0	(\$3,559)	\$0	(\$3,559)	\$0	(\$7,118)	\$0	(\$7,118)	
Grand Total	\$0	\$358,006	\$0	\$358,006	\$0	\$359,330	\$0	\$359,330	\$0	\$717,336	\$0	\$717,336	

5301 Department Of Environmental Quality

Agency/Program DP Name	FY 2010				FY 2011				Comments
	General Fund	State Special	Federal Special	Total Funds	General Fund	State Special	Federal Special	Total Funds	
Executive Requests that Were Rejected									
PCD PL5003 Air Regulatory Assistance BIEN	0	250,000	0	250,000	0	250,000	0	500,000	
PCD PL5004 Area Source MACT Registration	0	130,820	0	130,820	0	129,895	0	260,715	
PCD NP5011 Whitefish Lake Monitoring - Bienvoto	25,000	0	0	25,000	0	25,000	0	50,000	
Total	\$25,000	\$ 380,820	0	\$405,820	\$25,000	\$379,895	\$0	\$810,715	
Not True Increases to the Executive Budget									
Total	0	0	0	0	0	0	0	0	
Reductions Added by the Subcommittee									
Central Svc NP 1050 Personal Services Reduction	(53,168)	(17,722)	0	(70,890)	(53,183)	(17,728)	0	(141,801)	
Planning NP 2050 Personal Services Reduction	(28,922)	(1,650)	(63,600)	(94,172)	(28,995)	(1,650)	(63,617)	(188,434)	
PCD NP5010 Swift Gulch Treatment System Operating Expense	(10,000)	0	0	(10,000)	0	0	0	(20,000)	
PCD NP5050 RIT Reduction - Environmental Management	0	0	0	0	(25,000)	0	0	(25,000)	
PCD NP5055 RIT Reduction - Industrial Energy Bureau	0	0	0	0	(25,000)	0	0	(25,000)	
Total	(\$92,090)	(\$19,372)	(\$63,600)	(\$175,062)	(\$92,178)	(\$69,378)	(\$63,617)	(\$375,235)	RIT Reductions
Grand Total	(\$67,090)	\$361,448	(\$63,600)	\$230,758	(\$67,178)	\$310,517	(\$63,617)	\$545,480	RIT Reductions

5603 Department Of Livestock

Agency/Program DP Name	FY 2010				FY 2011				2011 Biennium				Comments
	General Fund	State Special	Federal Special	Total Funds	General Fund	State Special	Federal Special	Total Funds	General Fund	State Special	Federal Special	Total Funds	
Executive Requests that Were Rejected													
Brands													
NP 601 Brands Record	0	0	0	0	179,891	0	179,891	0	179,891	0	179,891	0	
Total	\$0	\$0	\$0	\$0	\$179,891	\$0	\$179,891	\$0	\$179,891	\$0	\$179,891	\$0	
Not True Increases to the Executive Budget													
Central Svc	0	150,000	150,000	300,000	150,000	60,000	300,000	0	300,000	120,000	600,000	0	Added after 12/15 due to timing of information
NP155 Livestock Loss Mitigation Funding	0	60,000	60,000	60,000	60,000	60,000	60,000	0	0	0	0	0	Added after 12/15 due to timing of information -adjustment of a reduction
Anim Health	0	0	0	0	0	0	0	0	0	0	0	0	
NP404 Federal Bison Funds	\$0	\$150,000	\$210,000	\$360,000	\$210,000	\$210,000	\$360,000	\$0	\$300,000	\$420,000	\$720,000	\$0	
Total	\$0	\$150,000	\$210,000	\$360,000	\$210,000	\$210,000	\$360,000	\$0	\$300,000	\$420,000	\$720,000	\$0	
Changes Adopted by the Subcommittee													
Central Svc	0	(10,000)	0	(10,000)	0	(10,000)	0	(10,000)	0	(20,000)	0	(20,000)	
NP 107 Milk Control Board Contract Arty	172,350	(172,350)	0	0	11,100	(11,100)	0	0	183,450	(183,450)	0	0	
Ding Lac	250,000	(250,000)	0	0	250,000	(250,000)	0	0	500,000	(500,000)	0	0	GF offset requested in HB 5
NP 409 Broodmares Herd Plan	(172,350)	172,350	0	0	(11,100)	11,100	0	0	(183,450)	183,450	0	0	
Anim Health	0	0	0	0	0	0	0	0	0	0	0	0	
NP 604 System Upgrade	\$250,000	(\$250,000)	\$0	(\$10,000)	\$250,000	(\$250,000)	\$0	(\$10,000)	\$500,000	(\$520,000)	\$0	(\$20,000)	
Total	\$250,000	(\$250,000)	\$0	(\$10,000)	\$250,000	(\$250,000)	\$0	(\$10,000)	\$500,000	(\$520,000)	\$0	(\$20,000)	
Grand Total	\$250,000	(\$10,000)	\$210,000	\$350,000	\$250,000	\$69,891	\$210,000	\$529,891	\$500,000	(\$40,109)	\$420,000	\$879,891	

5706 Department of Natural Resources & Conservation

Agency/Program DP Name	FY 2010				FY 2011				2011 Biennium				Comments	
	General Fund	State Special	Federal Special	Total Funds	General Fund	State Special	Federal Special	Total Funds	General Fund	State Special	Federal Special	Total Funds		
Executive Requests that Were Rejected														
Water PI2404 RWR Implementation Bureau	505,797	0	0	505,797	498,290	0	0	498,290	1,004,087	0	0	1,004,087	RWRCC was funded as if it was not going to sunset	
Water PI2401 State Water Projects -Mam	0	267,500	0	267,500	0	267,500	0	267,500	0	535,000	0	535,000	Transferred to HB5	
RWRCC PI2501 RWRCC Sunset	(691,391)	0	0	(691,391)	(725,697)	0	0	(725,697)	(1,417,088)	0	0	(1,417,088)	RWRCC was funded as if it was not going to sunset	
Total	<u>(\$185,594)</u>	<u>267,500</u>	<u>0</u>	<u>\$81,906</u>	<u>(\$227,407)</u>	<u>\$267,500</u>	<u>\$0</u>	<u>\$40,093</u>	<u>(\$413,001)</u>	<u>\$535,000</u>	<u>\$0</u>	<u>\$121,999</u>		
Net True Increases to the Executive Budget														
Total	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>		
Changes Adopted by the Subcommittee														
Cent Sacs NP2170 Personal Services Reduction	(31,199)	0	0	(31,199)	0	(31,211)	0	(31,211)	(31,199)	(31,211)	0	(62,410)		
O&G NP2250 Educational Workshop	0	62,500	0	62,500	0	62,500	0	62,500	0	125,000	0	125,000		
O&G NP2251 Public Data Access	0	220,000	0	220,000	0	220,000	0	220,000	0	440,000	0	440,000		
O&G NP2170 Personal Services Reduction	0	(149,393)	0	(149,393)	0	(149,437)	0	(149,437)	0	(298,832)	0	(298,832)		
CARD NP2307 CD Grants OTO	0	(60,000)	0	(60,000)	0	(60,000)	0	(60,000)	0	(120,000)	0	(120,000)	Revenue Balancing	
CARD NP2306 MT Rural Water Systems	101,500	0	0	101,500	101,500	0	0	101,500	203,000	0	0	203,000	Removed by vote in 12/15, subcommittee reinstated	
Water NP2306 Personal Services Reduction	(26,432)	(6,616)	0	(33,048)	(26,465)	(6,616)	0	(33,081)	(32,917)	(13,232)	0	(66,149)		
RWRCC NP2350 RWRCC Staff Reduction	(129,937)	0	0	(129,937)	(131,308)	0	0	(131,308)	(261,245)	0	0	(261,245)	Eliminate 1.5 FTE - but maintain commission	
Forestry NP3503 Engine Crew Extension	(80,721)	80,721	0	0	(80,737)	80,737	0	0	(161,458)	161,458	0	0		
Forestry NP3504 Aviation Crew Extension	(88,585)	88,585	0	0	(88,664)	88,664	0	0	(177,249)	177,249	0	0		
Forestry NP3550 NC Rural Fire Coordinator	37,067	18,534	0	55,601	37,159	18,579	0	55,738	74,226	37,113	0	111,339		
Forestry NP3570 Personal Services Reduction	(20,887)	(10,759)	0	(31,646)	(20,913)	(10,775)	0	(31,688)	(41,800)	(21,534)	0	(63,334)	New FTE	
Total	<u>(\$31,199)</u>	<u>\$133,105</u>	<u>\$0</u>	<u>\$101,906</u>	<u>\$0</u>	<u>\$101,852</u>	<u>\$0</u>	<u>\$101,852</u>	<u>(\$31,199)</u>	<u>\$234,957</u>	<u>\$0</u>	<u>\$203,758</u>		
Grand Total	<u>(\$216,793)</u>	<u>\$400,605</u>	<u>\$0</u>	<u>\$183,812</u>	<u>(\$227,407)</u>	<u>\$369,352</u>	<u>\$0</u>	<u>\$141,945</u>	<u>(\$444,200)</u>	<u>\$769,957</u>	<u>\$0</u>	<u>\$325,757</u>		